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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,066	10/16/2003	Jason A. Morris	GLAD-003XX	8904
207	7590	06/29/2005	EXAMINER	
WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP TEN POST OFFICE SQUARE BOSTON, MA 02109			NGUYEN, HUNG T	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/687,066	MORRIS, JASON A.
Examiner	Art Unit	
Hung T. Nguyen	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 16 October 2003.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-12 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 110/16/2003 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/19/04 &amp; 12/6/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### *Specification*

1. The abstract of the disclosure is objected to because it contains more than 150 words.

Correction is required. See MPEP § 608.01(b).

2. Cross Reference to Related Applications from the Specification of the Invention and

Bib Data Sheet must be provided the same information.

Therefore, Cross Reference to Related Applications should be changed in the following:

delete "This application claims priority under 35 U.S.C. S119 (e) to provisional patent number" before "60/423,867";

insert --This application claims benefit of-- before "60/423,867";

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gladstone et al. (U.S. 6,531,960).

Regarding claims 1 & 12, Gladstone discloses a low tire pressure indicator (100) with two colors as yellow, orange or other bright colors for monitoring the tire pressure is above (122) and below (124) predetermined threshold limits [[figs.1-3, col.1, line 64 to col.2, line 9, col.2, line 57 to col.3, line 37 ] comprising:

- a housing having multi parts for connection as transparent portions / clear plastic material [ figs.1-3, col.2, line 57 to col.3, line 37, col.4, lines 47-65 ];
- a base (212) is mounted to the housing [ figs.1-3, col.3, line 66 to col.4, line 14 ];
- at least two colors as yellow, orange or other bright colors for monitoring the tire pressure is above (122) and below (124) predetermined threshold limits [[figs.1-3, col.1, line 64 to col.2, line 9, col.2, line 57 to col.3, line 37 ].

Although, the reference of Gladstone does not specifically mention a function of mechanical as magnetic members and liner motion translator are used in the tire pressure indicator for providing visual characteristic as claimed by the applicant.

However, Gladstone clearly teaches the low tire pressure indicator (100) connects with multi parts as cam mechanism (200), piston (210), liner spring (22), retainer (230), dome display (120) to provide at least two colors as yellow, orange or other bright colors for monitoring the tire pressure is above (122) and below (124) predetermined threshold limits at all time as signaling the safety indication portions (122) are used to indicate that the pressure is above the

threshold limit and the warning portions (124) are used to indicate that the pressure is below the threshold limit [figs. 1-3, col. 1, line 64 to col. 2, line 9, col. 2, line 57 to col. 3, line 37 ].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Gladstone for monitoring the same function as proper maintenance of tire pressure regardless the other mechanism because that is an obvious design choice of the skilled artisan.

Regarding claims 2-7 & 10, The reference of Gladstone does not specifically mention a function of mechanical as magnetic members contain sphere, disk, cylinder and liner motion translator / flexible diaphragm are used in the tire pressure indicator as claimed by the applicant.

However, Gladstone clearly teaches the low tire pressure indicator (100) connects with multi parts as cam mechanism (200), piston (210), liner spring (22), retainer (230), dome display (120) to provide at least two colors as yellow, orange or other bright colors for monitoring the tire pressure is above (122) and below (124) predetermined threshold limits at all time as signaling the safety indication portions (122) are used to indicate that the pressure is above the threshold limit and the warning portions (124) are used to indicate that the pressure is below the threshold limit [figs. 1-3, col. 1, line 64 to col. 2, line 9, col. 2, line 57 to col. 3, line 37 ].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Gladstone for monitoring the same function as proper maintenance of tire pressure regardless the other mechanism because that is an obvious design choice of the skilled artisan.

Regarding claims 8-9, Gladstone discloses a low tire pressure indicator (100) with two colors as yellow, orange or other bright colors for monitoring the tire pressure is above (122) and below

(124) predetermined threshold limits [[figs.1-3, col.1, line 64 to col.2, line 9, col.2, line 57 to col.3, line 37 ] comprising:

- a housing having multi parts for connection as transparent portions / clear plastic material [ figs.1-3, col.2, line 57 to col.3, line 37, col.4, lines 47-65 ];
- a base (212) is mounted to the housing [ figs.1-3, col.3, line 66 to col.4, line 14 ].

Regarding claim 11, Gladstone clearly teaches the low tire pressure indicator (100) connects with multi parts as cam mechanism (200), piston (210), liner spring (22), retainer (230), dome display (120) [figs.1-3, col.1, line 64 to col.2, line 9, col.2, line 57 to col.3, line 37 ];

- the base (212) is mounted to the housing [ figs.1-3, col.3, line 66 to col.4, line 14 ].
- All of the components as mention above which can be attached together and insert to a tire valve tem for detecting the tire pressure is above (122) and below (124) predetermined threshold limits.

### Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

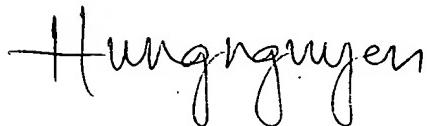
- Achterholt (U.S. 5,774,048) Valve having means for generating a wireless transmittable indicating signal in case of a pressure drop within vehicle tires.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

**HUNG NGUYEN  
PRIMARY EXAMINER**



Examiner: Hung T. Nguyen

Date: June 21, 2005